

***[NO MINUTES WERE GENERATED FOR
FRIDAY, SEPTEMBER 20, 2013]***

1580

**SUPREME COURT MINUTES
MONDAY, SEPTEMBER 23, 2013
SAN FRANCISCO, CALIFORNIA**

S213314

**STAIGER (MARK) v. COURT
OF APPEAL, SIXTH
APPELLATE DISTRICT
(STAIGER)**

Petition stricken (case closed)

Due to clerical error, the petition for writ of mandate filed on September 12, 2013, in the above-entitled matter is hereby stricken and refiled under S213165, Staiger v. Court of Appeal (Staiger).

S213437

D064254 Fourth Appellate District, Div. 1

**WOODWARD (ROBERT) v.
OCWEN LOAN SERVICING
LLC**

Time for ordering review extended on the court's own motion

The time for granting review on the court's own motion is hereby extended to December 17, 2013. (Cal. Rules of Court, rule 8.512(c).)

S213449

B239134 Second Appellate District, Div. 1

**PEOPLE v. MASON
(TYRONE)**

Time for ordering review extended on the court's own motion

The time for granting review on the court's own motion is hereby extended to December 4, 2013. (Cal. Rules of Court, rule 8.512 (c).)

S212215

H037855 Sixth Appellate District

**PEOPLE v. AGATON-
HERNANDEZ (FRANCISCO)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2013.

S212245

H039000 Sixth Appellate District

**AGATON-HERNANDEZ
(FRANCISCO) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2013.

S212255 C059440 Third Appellate District

**PEOPLE v. JONES, SR.,
(CHRISTOPHER ALLEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2013.

S212373 B239033 Second Appellate District, Div. 1

**PEOPLE v. HONMA (STEVEN
RONALD)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 25, 2013.

S212384 D062580 Fourth Appellate District, Div. 1

**PEOPLE v. JIMENEZ
(RUBEN WILFIDE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 25, 2013.

S212386 A133390 First Appellate District, Div. 5

**PEOPLE v. CULTON
(DWIGHT)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2013.

S212390 C068998 Third Appellate District

**BURRILL (JANELLE) v.
NAIR (JAYRAJ)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 25, 2013.

S212426 E053356 Fourth Appellate District, Div. 2

**PEOPLE v. JACQUES, JR.,
(JAMES DALE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2013.

S212441 E053938/E054740 Fourth Appellate District, Div. 2 **SOUTHERN CALIFORNIA
EDISON COMPANY v. CITY
OF VICTORVILLE**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2013.

S212456 A132983 First Appellate District, Div. 2 **PEOPLE v. OLESH (JEFFREY JAMES)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 29, 2013.

S212467 B232880 Second Appellate District, Div. 6 **PEOPLE v. MARTINEZ (ENRIQUE SANDOVAL)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 31, 2013.

S212470 B249706 Second Appellate District, Div. 7 **LIBAW (EVAN J.) v. S.C. (MUNGER TOLLES & OLSON LLP)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 30, 2013.

S212482 C070967 Third Appellate District **PEOPLE v. HARDER (STEPHEN EUGENE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 30, 2013.

S212484 B243107 Second Appellate District, Div. 1 **IN RE JOHN M.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 30, 2013.

S212487 E054786 Fourth Appellate District, Div. 2 **PEOPLE v. BAEZA (ALEXANDRO ALFONSO)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 30, 2013.

S212501 B248967 Second Appellate District, Div. 6 **GILLIS (THORNTON) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 31, 2013.

S212504 D064266 Fourth Appellate District, Div. 1 **JENKINS (SARAH) v. S.C.
(McCOMBS)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 31, 2013.

S212509 C074189 Third Appellate District **JAVAHERI (KEVIN) v. S.C.
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 31, 2013.

S025748 **PEOPLE v. CASARES (JOSE
LUPERCIO)**

Extension of time granted

Good cause appearing, and based upon Assistant State Public Defender Kathleen M. Scheidel's representation that she anticipates filing the appellant's reply brief by March 31, 2014, counsel's request for an extension of time in which to file that brief is granted to November 12, 2013. After that date, only three further extensions totaling about 140 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S087560 **PEOPLE v. NADEY, JR.,
(GILES ALBERT)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Jeffrey M. Bryant's representation that he anticipates filing the respondent's brief by October 23, 2013, counsel's request for an extension of time in which to file that brief is granted to October 23, 2013. After that date, no further extension is contemplated.

S089609 **PEOPLE v. DELGADO
(ANTHONY GILBERT)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Jolie Lipsig's representation that she anticipates filing the appellant's reply brief by March 20, 2014, counsel's request for an extension of time in which to file that brief is granted to November 22, 2013. After that date, only two further extensions totaling about 120 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S107900**PEOPLE v. WRIGHT, JR.,
(WILLIAM LEE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Kimara A. Aaron's representation that she anticipates filing the respondent's brief by November 23, 2013, counsel's request for an extension of time in which to file that brief is granted to November 25, 2013. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S116307**PEOPLE v. FLORES III
(ALFRED)**

Extension of time granted

Good cause appearing, and based upon counsel Robert Derham's representation that he anticipates filing the appellant's reply brief by December 15, 2013, counsel's request for an extension of time in which to file that brief is granted to November 12, 2013. After that date, only one further extension totaling about 33 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S138052**PEOPLE v. MATAELE
(TUPOUTOE)**

Extension of time granted

Good cause appearing, and based upon counsel Stephen M. Lathrop's representation that he anticipates filing the appellant's opening brief by March 31, 2014, counsel's request for an extension of time in which to file that brief is granted to November 18, 2013. After that date, only three further extensions totaling about 135 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S139702**PEOPLE v. BRACAMONTES
(MANUEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 22, 2013.

S146939**PEOPLE v. CAPERS (LEE
SAMUEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 22, 2013.

S148863**PEOPLE v. FRAZIER
(ROBERT WARD)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Evan Young's representation that she anticipates filing the appellant's opening brief by March 20, 2014, counsel's request for an extension of time in which to file that brief is granted to November 22, 2013. After that date, only two further extensions totaling about 117 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S156877**PEOPLE v. BROTHERS
(VINCENT EDWARD)**

Extension of time granted

Good cause appearing, and based upon counsel Phillip H. Cherney's representation that he anticipates filing the appellant's opening brief by May 31, 2014, counsel's request for an extension of time in which to file that brief is granted to November 19, 2013. After that date, only four further extensions totaling about 194 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S161781**PEOPLE v. THOMAS (JUSTIN
HEATH)**

Extension of time granted

On the court's own motion, appellant is granted relief from default to file an application for extension of time to file the opening brief.

Good cause appearing, and based upon counsel John L. Staley's representation that he anticipates filing the appellant's opening brief by June 30, 2014, counsel's request for an extension of time in which to file that brief is granted to October 21, 2013. After that date, only five further extensions totaling about 251 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S188459**MILLS (JEFFERY JON) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Paul A. Bernardino's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by January 22, 2014, counsel's request for an extension of time in which to file that document is granted to November 22, 2013. After that date, only one further extension totaling about 60 additional days is contemplated.

S194705**HORNING (DANNY RAY) ON
H.C.**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the reply to informal response to the petition for writ of habeas corpus is granted to November 18, 2013. After that date, only one further extension totaling 30 additional days will be granted.

S204795**VO (LOI TAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Moona Nandi's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by January 20, 2014, counsel's request for an extension of time in which to file that document is granted to November 18, 2013. After that date, only one further extension totaling about 60 additional days is contemplated.

S210234

C071065 Third Appellate District

**PEOPLE v. PRUNTY
(ZACKERY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 7, 2013.

S211596

B235015 Second Appellate District, Div. 4

**TRACT 19051
HOMEOWNERS
ASSOCIATION v. KEMP
(MAURICE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 30, 2013.

S212705 D063631 Fourth Appellate District, Div. 1 **JIMENEZ (ISRAEL CABRERA) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to the answer to petition for review is extended to October 18, 2013.

The reply must be presented in the San Francisco office on October 18, 2013.

A fascimile filing will be accepted with the original and hard copies to follow.

S211494 E055569 Fourth Appellate District, Div. 2 **PEOPLE v. LEWIS (MICHAEL)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Jean Ballantine is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S195423 D059012 Fourth Appellate District, Div. 1 **PEOPLE v. VANGELDER (TERRY)**

Order filed

The request of appellant to allocate to amicus curiae California DUI Lawyers Association 12 minutes of appellant's 30-minute allotted time for oral argument is granted.

S213021 **BURTON (BERNARD TURON) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S208976**ELLIS ON RESIGNATION**

Resignation declined

This court, having considered the request, declines to accept the voluntary resignation with charges pending of AARON MICHAEL ELLIS, State Bar Number 248862, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).) AARON MICHAEL ELLIS remains on inactive status. (Cal. Rules of Court, rule 9.21(a).) He may move the State Bar Court to be restored to active status, at which time the Office of the Chief Trial Counsel may demonstrate any basis for his continued ineligibility to practice law. The State Bar Court will expedite the resolution of any request by AARON MICHAEL ELLIS to be restored to active status. Any return to active status will be conditioned on AARON MICHAEL ELLIS's payment of any dues, penalty payments, and restitution owed by him. The underlying disciplinary matter should proceed promptly.

S213402**ALLEN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SHAYLEEN TIFFANY ALLEN, State Bar Number 202518, as a member of the State Bar of California is accepted. SHAYLEEN TIFFANY ALLEN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213403**BARKER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOHN ALLEN BARKER, State Bar Number 100215, as a member of the State Bar of California is accepted. JOHN ALLEN BARKER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213405**BECKER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KAREN McCABE BECKER, State Bar Number 117114, as a member of the State Bar of California is accepted. KAREN McCABE BECKER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213407**BERKLEY ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of FORREST CARLSON BERKLEY, State Bar Number 107738, as a member of the State Bar of California is accepted.

FORREST CARLSON BERKLEY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213409**BIEGENZAHN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BRANDON JON BIEGENZAHN, State Bar Number 232691, as a member of the State Bar of California is accepted.

BRANDON JON BIEGENZAHN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213413**BOONE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM DANIEL BOONE, State Bar Number 46553, as a member of the State Bar of California is accepted.

WILLIAM DANIEL BOONE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213414**BOYD ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM MILAN BOYD, State Bar Number 44002, as a member of the State Bar of California is accepted.

WILLIAM MILAN BOYD must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213415**BROWN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELIZABETH ABIGAIL BROWN, State Bar Number 193540, as a member of the State Bar of California is accepted.

ELIZABETH ABIGAIL BROWN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213416**BROWN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WENDY LEA BROWN, State Bar Number 133909, as a member of the State Bar of California is accepted.

WENDY LEA BROWN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S213417**COLE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of TAMRA JOY COLE, State Bar Number 233180, as a member of the State Bar of California is accepted.

TAMRA JOY COLE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,100)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)